

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. 13877/16601	APPLICATION SERIAL NO. 10/567,331	EXAMINER Noah S. Frank	CONFIRMATION 4994
---------------------------	--------------------------------------	---------------------------	----------------------

INVENTOR: STAPPERS

ART UNIT: 1796

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on March 18, 2010.

Signature: Julie A. Forero/

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 10/567,331, filed on March 1, 2006 entitled **PAINT COMPRISING A LIQUID PHASE AND AN ACTIVE POWDER PHASE**.

The following constitute the submission **required** by 37 C.F.R. § 1.114(a) and is attached:

- ☒ Reply Under 37 C.F.R. §1.116 previously filed on January 27, 2010.
☐ Information Disclosure Statement and Form PTO-1449
☐ Drawing Changes
☐ Other Submission: _____

- The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						810.00
TOTAL CLAIMS	21	-	21	0	52.00	0.00
INDEPENDENT CLAIMS	2	-	3	0	220.00	0.00
MULTIPLE DEPENDENT CLAIM					390.00	
				*Number extra must be zero or larger	TOTAL	810.00
If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.						SMALL ENTITY TOTAL

- The required RCE and submission filing fee of **\$810.00** is being paid by credit card.

3. Applicants also respectfully request a **two-month** extension of time in which to respond to the Final Office Action dated October 27, 2009, for which a response period expiring on January 27, 2010 was set. The extended period expires on March 27, 2010. The 37 C.F.R. § 1.136(a) **two-month extension fee of \$490.00 is being paid by credit card.**
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

Respectfully submitted,

Dated: March 18, 2010

By: /Kevin T. Godlewski/
Kevin T. Godlewski (Reg. No. 47,598)

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646